

REMARKS

The Applicants have carefully reviewed and considered the Office Action of 23 December 2005 and note with appreciation the specific manner in which the Examiner has set forth the rejection of the claims. In response to this Office Action the Applicants amend claim 1 so as to further clarify and distinguish the present invention from the prior art. It is believed this Amendment places the claims in condition for formal allowance and, accordingly, entry of the Amendment After Final Rejection is earnestly solicited.

More specifically, claim 1 is now amended to reference a "polymeric binder material" which comprises a polyvinyl chloride containing a heat stabilizer. Support for this Amendment is found throughout the specification including, for example, pages 7 and 8.

U.S. Patent 5,886,306 to Patel et al. discloses a layered acoustical insulating web for vehicles incorporating multiple layers of wood pulp which may be combined with synthetic fiber. The Examiner equates the middle layers to Applicants' "insulating layer" and the outer layers to Applicants' "structural layers". Significantly, the Patel et al. reference explicitly refers to the use of starch or latex binders at col. 2 line 27 and references a vinyl acetate monomer at col. 3 line 47. The Patel et al. reference fails to explicitly teach utilizing polyvinyl chloride in any form as a binder as now explicitly required by claim 1 of the present application. In fact, the only reference to PVC in the Patel et al. reference

relates to the use of reground PVC as a coating. A PVC coating is in no way equivalent to and in no way suggests utilizing PVC as a binder in a structural layer as set forth in present claim 1.

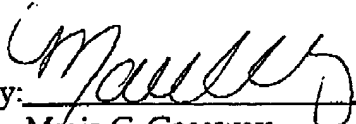
While U.S. Patent 5,034,443 to Bae et al. may in fact teach the concept of adding a stabilizer to a polyvinyl chloride resin, the use of such a stabilizer in a PVC coating as taught in the primary reference to Patel et al. is not equivalent to the present invention. Further, the primary reference to Patel et al. explicitly teaches utilizing starch, latex or vinyl acetate monomer as a binder. Nothing in the Patel et al. or Bae et al. references would lead one skilled in the art to ignore these explicit teachings and substitute a PVC binder containing a heat stabilizer.

Further, U.S. Patent 5,744,763 to Iwasa et al. fails to address the shortcoming noted above with respect to the teachings of the Patel et al. and Bae et al. references. Accordingly, whether considered alone or in combination, the three applied prior art references fail to provide a proper basis for the rejection of claims 1 and 6-9. Accordingly, these claims patentably distinguish over the prior art and should be allowed.

In summary, all the pending claims patentably distinguish over the art and should be allowed. Upon careful review and consideration it is believed the Examiner will agree with this proposition. Accordingly, the early issuance of a formal Notice of Allowance is earnestly solicited.

Any fees required in connection with this Amendment may be debited to
Deposit Account 50-0568.

Respectfully submitted,

By: 
Maria C. Gasaway
Reg. No. 51,721

Owens Corning
Patent Dept. Bldg. 11
2790 Columbus Road
Granville, Ohio 43023
(740) 321-7213

Dated: 2/23/06